IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	§	Group Art Unit: 2623
	§	Examiner: Salce, Jason P.
Frederick B. Harris	§	Atty. Dkt. No.: 5266-08801
	§	
	§	****CERTIFICATE OF E-FILING TRANSMISSION****
	§	I hereby certify that this correspondence is being transmitted via electronic filing to the United States Patent and Trademark Office on the date shown below
Serial No. 10/652,261	§	
	§	Rory D. Rankin (Printed Name)
Filed: August 29, 2003	§	/Rory D. Rankin/ (Signature) November 3, 2008 (Date)
For: VIDEO-ON-DEMAND AND TARGETED ADVERTISING	§	
	§	

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Further to the Notice dated October 2, 2008, Appellants present this Appeal Brief. Appellants respectfully request that this appeal be considered by the Board of Patent Appeals and Interferences.

I. REAL PARTY IN INTEREST

As evidenced by the assignment recorded at Reel/Frame 014454/0718, the subject application is owned by OpenTV, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and now having its principal place of business at 275 Sacramento Street, San Francisco, CA 94111-3810.

II. RELATED APPEALS AND INTERFERENCES

No other appeals, interferences or judicial proceedings are known which would be related to, directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Claims 1-23 are pending and rejected, and are the subject of this appeal. A copy of claims 1-23 as on appeal is included in the Claims Appendix hereto.

IV. STATUS OF AMENDMEMNTS

No amendments to the claims have been submitted subsequent to the final rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates generally to an interactive television environment.

Claim 1 recites method for conveying individualized content in a distributed computer system, said method comprising:

broadcasting a plurality of modules in a broadcast carousel from a server to a plurality of client devices on a single channel, the plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client request (e.g., FIG. 2; page 9, lines 4-22);

sending search criteria from a client device of the plurality of client devices to the server, subsequent to said broadcasting (e.g., page 8, lines 7-22);

receiving the search criteria at the server and identifying a qualifying module number which corresponds to the search criteria (e.g., page 8, lines 24-26; page 13, lines 11-20; page 18, lines 1-20);

sending the qualifying module number to the client device (e.g., page 8, lines 22-23);

receiving the qualifying module number at the client device (e.g., page 8, lines 22-23); and

retrieving a first module of said modules at the client device from the single channel, in response to matching the received qualifying module number to said first module (e.g., page 8, line 23 – page 9, line 2).

Claim 10 recites a distributed computing system for conveying individualized content, said system comprising:

a server configured to broadcast in a broadcast carousel on a single channel a plurality of modules to a plurality of client devices (e.g., FIGs. 3-4, item 102; page 13,

lines 2-3), said plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client device request (page 9, lines 4-22); and

a client device coupled to receive said modules (e.g., FIG. 1, item 28; FIGs 3-4, item 108; page 7, line 13; page 14, line 1), wherein said client device is configured to:

receive search criteria from a user (e.g., page 8, lines 7-22); and

send said search criteria to the server, subsequent to the server broadcasting said modules (e.g., page 8, lines 7-22);

wherein said server is further configured to receive the search criteria, identify a qualifying module number corresponding to the search criteria, and send the qualifying module number to the client device (e.g., page 8, lines 24-26; page 13, lines 11-20; page 18, lines 1-20); and

wherein said client device is further configured to:

receive the qualifying module number (e.g., page 8, lines 22-23); and

retrieve a first module of said modules from the single channel, in response to matching the received qualifying module number to said first module (e.g., page 8, line 23 – page 9, line 2).

Claim 16 recites a client device for use in a distributed computing system, said client device comprising:

circuitry configured to receive a broadcast signal comprising a plurality of modules, the plurality of modules being received in a broadcast carousel on a single channel, and wherein the plurality of modules in the broadcast carousel correspond to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, said plurality of modules not being broadcast responsive to a request from a client device (e.g., FIG. 1, item 27; page 7, line 22; FIG. 2; page 9, lines 4-22);

processing circuitry (e.g., FIG. 1, item 29; page 7, line 19) configured to:

receive search criteria from a user (e.g., page 8, lines 24-26; page 13, lines 11-20; page 18, lines 1-20);

send said search criteria to a server, subsequent to the broadcast of said modules (e.g., page 8, lines 22-23);

receive from said server a qualifying module number, said number corresponding to the search criteria (e.g., page 8, lines 22-23); and

retrieve a first module of said modules from the single channel, in response to matching the received qualifying module number to said first module (e.g., page 8, line 23 – page 9, line 2).

Claim 18 recites broadcast station for use in a distributed computing system, said broadcast station comprising:

a database (e.g., FIGs. 3-4, item 100; page 13, lines 1-2); and

a server coupled to said database, wherein said server is configured to:

broadcast in a broadcast carousel on a single channel a plurality of modules to a plurality of client devices, said plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client request (e.g., FIG. 2; page 9, lines 4-22);

receive search criteria from one of said client devices;

identify a qualifying module number corresponding to the search criteria, and send the qualifying module number to the client device (e.g., page 8, lines 24-26; page 13, lines 11-20; page 18, lines 1-20);

receive a video request from said client device, said request being based upon information corresponding to the qualifying module (e.g., page 14, lines 6-8);

retrieve a video corresponding to said video request from said database, in response to said request (e.g., page 14, lines 9-12); and

convey said retrieved video to said client (e.g., page 14, lines 13-14).

Claim 20 recites a computer readable medium containing program instructions, wherein said program instructions are executable to:

broadcast in a broadcast carousel on a single channel a plurality of modules from a server to a plurality of client devices, said plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client request (e.g., FIG. 2; page 9, lines 4-22);

send search criteria from a client device of the client devices to the server, subsequent to said broadcasting (e.g., page 8, lines 7-22);

receive the search criteria at the server and identify a qualifying module number corresponding to the search criteria (e.g., page 8, lines 24-26; page 13, lines 11-20; page 18, lines 1-20);

send the qualifying module number to the client device (e.g., page 8, lines 22-23);

receive the qualifying module number at the client device (e.g., page 8, lines 22-23); and

retrieve a first module of said modules from the single channel at the client device, in response to matching the received qualifying module number to said first module (e.g., page 8, line 23 – page 9, line 2).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 1-3, 8, 10-11, 15-18 and 20-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,945,987 (hereinafter "Dunn"), in view of U.S. Patent No. 6,453,471 (hereinafter "Klosterman").

2. Claim 9 stands rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman.

3. Claims 4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dunn in view of Klosterman in further view of U.S. Patent No. 6,378,130 (hereinafter "Adams").

4. Claims 5 and 13 stand rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman, in further view of U.S. Patent No. 6,144,402 (hereinafter "Norsworthy").

5. Claim 6 stands rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman, in further view of U.S. Patent No. 7,032,028 (hereinafter "Clay").

6. Claims 7 and 14 stand rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman, in further view of U.S. Patent No. 5,861,906 (hereinafter "Dunn2").

VII. ARGUMENT

1. **Claims 1-3, 8, 10-11, 15-18 and 20-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,945,987 (hereinafter "Dunn"), in view of U.S. Patent No. 6,453,471 (hereinafter "Klosterman").**

Claim 1 recites a method for conveying individualized content in a distributed computer system, said method comprising:

broadcasting a plurality of modules in a broadcast carousel from a server to a plurality of client devices on a single channel, the plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client request;

sending search criteria from a client device of the plurality of client devices to the server, subsequent to said broadcasting;

receiving the search criteria at the server and identifying a qualifying module number which corresponds to the search criteria;

sending the qualifying module number to the client device;

receiving the qualifying module number at the client device; and

retrieving a first module of said modules at the client device from the single channel, in response to matching the received qualifying module number to said first module.

Applicant submits the combination of cited art does not disclose all of the features of the presently claimed invention. In the Final Office Action dated November 1, 2007, the rejection states that Dunn discloses all the features of claim 1, except that

> "Dunn is silent as to a broadcast carousel being used to cyclically transmit the modules on a single channel." (Final Office Action, page 6).

Applicant disagrees and submits that Dunn does not disclose at least the features "retrieving a first module of said modules at the client device from the single channel, in response to matching the received qualifying module number to said first module," as recited.

In the Final Office Action, the rejection misstates the features of claim 1 by stating:

> "Dunn also discloses retrieving a first module at a client device in response to matching the received qualifying module number to said first module . . .." (Final Office Action, page 6).

However, claim 1 recites "retrieving a first module <u>of said modules</u> at the client device from the single channel, in response to matching the received qualifying module number to said first module." The recited "<u>said modules</u>" has antecedent basis in the earlier recited feature of claim 1 wherein the claim recites:

> "<u>broadcasting a plurality of modules</u> in a broadcast carousel from a server to a plurality of client devices on a single channel, the plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, <u>wherein said plurality of modules are not broadcast responsive to a client request</u>."

As clearly seen from the claim language, the recited "said modules" from which the first module is retrieved are "not broadcast responsive to a client request." In other words, the modules, including the first module, are pushed. In contrast, Dunn discloses retrieving programs that match a search request that are transmitted in response to the search request. Neither does Klosterman disclose such features. Accordingly, not only does the rejection misstate the claim features, but the combination of cited art does not disclose all of the features of claim 1. For at least these reasons, a prima facie case of obviousness has not been established with regard to claim 1. As claims 10, 16, 18 and 20 include features similar to those discussed above, each of these claims are patentably distinguishable from the cited art for at least reasons similar to those discussed above.

In the Office Actions dated May 11, 2007 and November 1, 2007, the Examiner suggested that claims 1, 10, 16, 18 and 20 are unpatentable over Dunn in view of Klosterman. Applicant disagreed and in response to Applicants arguments, the Examiner suggested

> "[A]lthough Applicant has suggested what the combination of Dunn and Klosterman may teach, the Applicant has not argued how these proposed teachings fail to teach the claims limitations. As stated in the previous Office Action, Dunn teaches all of the claim limitations, but is silent as to the use of a broadcast carousel."

Applicant first noted that Dunn merely discloses a video-on-demand system in which previews of available videos are displayed from which a viewer may select an associated program to be ordered. More specifically, Dunn discloses an STB receives initial data from the headend and default previews are displayed. A viewer may then

specify criteria (e.g., a star name) and transmit a corresponding request to the headend. The headend uses the request to locate records matching the criteria and returns data in response (i.e., the list of matches). The viewer may then request play of a trailer from the list of matches by sending a request to the headend. In response to the viewer request, the headend transmits the trailer. For example, Dunn teaches:

> "FIGS. 12-14 show a method for operating the interactive system in the VOD mode. . . . Beginning with step 216 in FIG. 12, the viewer activates the VOD application by switching the STB to the designated VOD channel. Initial data is received by the STB from the headend (step 218). Such data might include category lists, star lists, new releases lists, or other information that is useful in the startup phase. At step 220, the VOD application initiates the preview browse user interface and the initial screen display 70 (FIG. 3) is depicted.
>
> The default set of "new releases" trailers are shown. . . . If the viewer wishes to select a new group of programs, the viewer can actuate the "choices" button 78 to pull up various lists of criteria (e.g., star name, title, viewer list, etc.). From the one or more lists, the viewer actively specifies a criteria to select a group of programs (step 222). The criteria is transmitted from the STB to the headend (step 224).
>
> At the headend, a search of the SQL database is conducted to locate program records which meet the search criteria (step 226). . . . At step 228, the set of program records that meet the criteria are sent back to the requesting STB in the form of data packet 120 (FIG. 8). This packet includes the program monikers and IDs, and the trailer monikers and IDs.

> At step 230, the viewer actuates the "preview" icon button 142 (FIGS. 5 and 9) to request play of the first preview video trailer in the program set. This request is sent to headend, which begins transmitting the preview of the first trailer in the group in response (step 232).
>
> Back at the STB, the previews of the requested set of programs are displayed on the TV set (step 234 in FIG. 12) and the program and trailer monikers are queued in the same order that the trailers are played (step 236 in FIG. 13). As described above, the viewer can watch the trailers as they are presented, or skip through them at the viewer's own pace." (Dunn, col. 12, lines 5-47). (emphasis added).

As clearly see from the above, Dunn does not disclose "retrieving a first module of said modules [pushed modules] at the client device from the single channel, in response to matching the received qualifying module number to said first module," as recited. Dunn clearly discloses retrieving programs that match a search request that are transmitted in response to the search request.

On page 3 of the Advisory Action dated April 8, 2008, the Examiner disagreed with Applicant's arguments and stated:

> "[W]hile Dunn teaches broadcasting a plurality of modules in a continuous loop, wherein said plurality of modules are not broadcast responsive to a client request (see Column 12, lines 17-19), Dunn only teaches doing so for "new releases" of trailers (see again column 12, lines 17-19) and not when a new group is selected. Dunn can access the new group of trailers in a next/previous fashion (See column

12, lines 48-56), however in regards to the new group of trailers, Dunn is silent about the use of a broadcast carousel because the viewer must send a request to the server each time a next or previous trailer is to be retrieved from the server. Therefore, while Dunn provides technology similar to a broadcast carousel, by transmitting new release trailers in a continuous loop, Dunn fails to teach that a carousel is used for the group of trailers selected using the viewer's search criteria, hence the application of the trailer carousel of Klosterman in the 103(a) rejection."

However, the Examiner would appear to be agreeing that Dunn's trailers, one or more of which may be retrieved by the client, are broadcast responsive to a client request and therefore are not equivalent to the claimed "first module of said modules."

As to the combination of Dunn and Klosterman, in the Office Action dated November 1, 2007, the examiner suggests the combination of Dunn and Klosterman meets the presently claimed invention. However, Klosterman merely discloses a preview channel in which trailers are repeatedly transmitted in a carousel or a loop. More specifically, Klosterman discloses a list of available previews is provided to a viewer. The viewer may select a trailer/preview video from the provided list. The selected trailer is then displayed. In one embodiment, the trailers are transmitted on a carousel. However, Klosterman's user merely selects a trailer/preview without matching a received qualifying module number. Applicant finds no teaching or suggestion in Klosterman of "retrieving a first module of said modules at the client device from the single channel, in response to matching the received qualifying module number to said first module," as is recited in claim 1.

Furthermore, the combination of Dunn and Klosterman merely provides a system in which programs may be selected in two different ways. First, as taught by Dunn, a user may retrieve programs that match a search request that are also transmitted in response to the search request. Second, as taught by Klosterman, a user may select a trailer/preview

from whatever is presented, but without matching any search criteria. However, combining Dunn with a list of available trailers and transmitting trailers on a preview channel in a carousel does not result in the claimed invention. In such a combination, there is no connection between the request sent by the viewer to the headend (i.e., the request for a new group of trailers in Dunn) and the retrieval of pushed modules (i.e., selecting a trailer for preview from a list in Klosterman). Rather, the combination may result in the VOD system of Dunn with a list of available trailers for preview from a preview channel (the trailers being transmitted on the preview channel in a carousel). Therefore, a viewer may simply select for display a non-requested trailer from a predetermined list – or, a viewer may request conveyance of further trailers and select from the trailers provided in response to the request.

Applicant finds no teaching or suggestion that the request sent by the viewer to the headend (i.e., Dunn's request for a new group of trailers that match a set of search criteria) would result in receiving a qualifying module number that would match a trailer as taught by Klosterman (i.e., a pushed trailer). Nor would there be any motivation to attempt to match a qualifying module number to Klosterman's pushed trailers, since Dunn does not teach matching search criteria to the new releases previews. Alternatively, in the proposed combination, a viewer may select a preview from an EPG such as is provided in Klosterman's system. However, Applicant finds no suggestion to modify this method of viewing a preview by sending search criteria to the headend to determine which preview matches the criteria.

Also, on page 4-5 of the Advisory Action dated April 8, 2008, the Examiner suggests

"Dunn's trailers that have been retrieved based on search criteria specified by the

viewer, are only retrieved from the CMS database, each time the user requests to view the previous or next trailer. This process requires a video to be retrieved from the database, each time the user request the video. Alternatively, Klosterman teaches placing trailers on a single channel and cyclically transmitting the trailers in a broadcast carousel (see Figure 10). The addition of such a transmission scheme to the system of Dunn would result in not only requiring less bandwidth to transmit multiple trailers in a single broadcast stream/channel (see Column 10, lines 45-46 of Klosterman), but even further eliminate any additional processing steps requires by the server of Dunn by having the database queried and a preview/trailer retrieved every time a request from the viewer has been issued. Therefore, Dunn would benefit from the transmission scheme of Klosterman and one of ordinary skill in the art would be motivated to make such a modification to the system of Dunn."

However, again, Applicant again submits the proposed combination fails to produce the presently claimed invention. In the proposed combination, Klosterman's carousel would be loaded with the trailers that were determined to have matched the search criteria and that also would therefore be broadcast in response to a request, unlike the recited first module that is not broadcast responsive to a client request. Accordingly, Applicant finds no teaching or suggestion in the cited art, taken either singly or in combination, of "retrieving a first module of said modules at the client device from the single channel, in response to matching the received qualifying module number to said first module," as is recited in claim 1.

It is also noted that Dunn discloses a system wherein a list is purposefully not utilized. For example, Dunn discloses:

> "This invention provides an interactive entertainment network system with a video-on- demand (VOD) application that is like having a video store in your own home. . . . preview video trailers for the set of programs are displayed. The VOD application permits the viewer to browse the trailers at their own rate, skipping forward to the next trailer or backward to the previous trailer. If the viewer settles on a particular program, the VOD application allows the user to rent the program immediately from the trailer being displayed on their television set, without returning to a menu or other order screen." (Dunn, col. 2, lines 23-36). (emphasis added).

Accordingly, Dunn may further be seen to teach away from the list type approach of Klosterman. For at least the above reasons, Applicant submits that claim 1 is patentably distinguished from the cited art, taken either singly or in combination. In addition, as each of independent claims 10, 16, 18 and 20 include similar features, each of these claims is believed patentably distinguished for similar reasons. As each of the dependent claims includes the features of the independent claims on which it depends, each of the dependent claims is patentably distinct for at least the above reasons.

Further, each of the dependent claims recite additional features not disclosed by the combination of cited art. For example, claim 3 recites the additional features:

> "a viewer generating a video request based upon said displayed information, said video being associated with said first module;
> sending said video request to said server; and
> sending a video corresponding to said video request from the server to the client device."

In the Office Action dated May 11, 2007, it is suggested 'said video being associated with said first module' is met by Dunn Fig. 13. Applicant respectfully submits that the combination of Dunn and Klosterman does not disclose all the features of claim 3. In contrast to the teachings of Dunn, the first module as recited in claim 1 is (1) not broadcast responsive to a client request, and (2) matches a received qualifying module number, which corresponds to the search criteria. In order for Dunn's requested program being associated with the previews to be equivalent to the recited "video being associated with said first module," as suggested, one of Dunn's previews would have to be equivalent to the first module. However, Dunn's previews are either from a default set and hence not corresponding to the search criteria, or non-default and hence broadcast in response to a client request. Therefore, Dunn's previews are not equivalent to the claimed qualifying modules. Accordingly, Applicant submits claim 3 is patentably distinguished from the cited art. In addition, as claims 11, 17, 18, and 22 include similar features, claims 11, 17, 18, and 22 are believed patentably distinguished for similar reasons.

Still further, Applicant does not find the features of claim 8, 15, 19, and 23 disclosed by Dunn. On page 5 of the Office Action dated May 11, 2007, the Examiner suggested Dunn discloses the features "sending a selected advertisement associated with the search request to the client device." On page 5 of the Final Office Action dated November 1, 2007, the Examiner responded to Applicant's argument that the next/previous trailer is not equivalent to "a selected advertisement associated with the search request" by stating that since Applicant has provided no reason as to why no such equivalent exists, the cited portion of Dunn stands. However, Applicant submits Dunn says nothing about including advertisements in the CMS database or associating advertisements with the search request. Furthermore, unlike the recited first module, the advertisements recited in claim 8 are sent in response to the search request. If, for the sake of argument, one were to assume that one of Dunn's trailers is equivalent to the

recited advertisement, then all of Dunn's trailers are equivalent to advertisements and are also sent in response to the search request. Therefore, Dunn's trailers are not equivalent to the recited first module of claim 1 for at least these reasons. Accordingly, claims 8, 15, 19, and 23 are patentably distinguishable from the combination of cited art.

2. **Claim 9 stands rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman.**

As the rejection of claim 9 depends upon the combination of Dunn and Klosterman as discussed above, claim 9 is patentably distinguishable from the cited art for at least the reasons given in the discussion of the independent claim upon which it depends.

3. **Claims 4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dunn in view of Klosterman in further view of U.S. Patent No. 6,378,130 (hereinafter "Adams").**

As the rejection of claims 4 and 12 depend upon the combination of Dunn and Klosterman as discussed above, claims 4 and 12 are patentably distinguishable from the cited art for at least the reasons given in the discussion of the independent claim upon which it depends.

4. **Claims 5 and 13 stand rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman, in further view of U.S. Patent No. 6,144,402 (hereinafter "Norsworthy").**

As the rejection of claims 5 and 13 depend upon the combination of Dunn and

Klosterman as discussed above, claims 5 and 13 are patentably distinguishable from the cited art for at least the reasons given in the discussion of the independent claim upon which it depends.

5. **Claim 6 stands rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman, in further view of U.S. Patent No. 7,032,028 (hereinafter "Clay").**

As the rejection of claim 6 depends upon the combination of Dunn and Klosterman as discussed above, claim 6 is patentably distinguishable from the cited art for at least the reasons given in the discussion of the independent claim upon which it depends.

6. **Claims 7 and 14 stand rejected under 35 U.S.C. § 103(a) over Dunn in view of Klosterman, in further view of U.S. Patent No. 5,861,906 (hereinafter "Dunn2").**

As the rejection of claims 7 and 14 depend upon the combination of Dunn and Klosterman as discussed above, claims 7 and 14 are patentably distinguishable from the cited art for at least the reasons given in the discussion of the independent claim upon which it depends.

Conclusion

For the foregoing reasons, it is submitted that the Examiner's rejection of claims 1-23 was improper, and reversal of the examiner's decision is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicant hereby petitions for such an extension. the Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 501505/5266-08801/RDR.

Respectfully submitted,

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Date: November 3, 2008

VIII. CLAIMS APPENDIX

The claims on appeal are as follows.

1. (Previously Presented) A method for conveying individualized content in a distributed computer system, said method comprising:

broadcasting a plurality of modules in a broadcast carousel from a server to a plurality of client devices on a single channel, the plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client request;

sending search criteria from a client device of the plurality of client devices to the server, subsequent to said broadcasting;

receiving the search criteria at the server and identifying a qualifying module number which corresponds to the search criteria;

sending the qualifying module number to the client device;

receiving the qualifying module number at the client device; and

retrieving a first module of said modules at the client device from the single channel, in response to matching the received qualifying module number to said first module.

2. (Original) The method of claim 1, further comprising displaying information corresponding to the first module on a display associated with said client device.

3. (Original) The method of claim 2, further comprising:

a viewer generating a video request based upon said displayed information, said video being associated with said first module;

sending said video request to said server; and

sending a video corresponding to said video request from the server to the client device.

4. (Original) The method of claim 3, further comprising:
inserting the requested video in a designated channel location in a broadcast;
sending the designated channel location from the server to the client device; and
using the designated channel location to retrieve the requested video from the broadcast at the client device.

5. (Original) The method of claim 3, further comprising:
sending a broadcast time for the requested video to the client device;
inserting the requested video in a broadcast at the broadcast time; and
retrieving the video from the broadcast at the client device at the broadcast time.

6. (Original) The method of claim 3, further comprising continuously sending said video from the server until an acknowledgement of receipt is received by the server from the client device.

7. (Original) The method of claim 3, further comprising continuously sending said video from the server for a predetermined period of time.

8. (Original) The method of claim 1, further comprising sending a selected advertisement associated with the search request to the client device.

9. (Previously Presented) The method of claim 1, wherein each of said programs comprise a plurality of modules.

10. (Previously Presented) A distributed computing system for conveying individualized content, said system comprising:

a server configured to broadcast in a broadcast carousel on a single channel a plurality of modules to a plurality of client devices, said plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client device request; and

a client device coupled to receive said modules, wherein said client device is configured to:

receive search criteria from a user; and

send said search criteria to the server, subsequent to the server broadcasting said modules;

wherein said server is further configured to receive the search criteria, identify a qualifying module number corresponding to the search criteria, and send the qualifying module number to the client device; and

wherein said client device is further configured to:

receive the qualifying module number; and

retrieve a first module of said modules from the single channel, in response to matching the received qualifying module number to said first module.

11. (Previously Presented) The system of claim 10, wherein said client device is further configured to:

generate a video request based upon information corresponding to the first module;

send said video request to said server; and

receive a video corresponding to said video request from the server, in response to said request.

12. (Previously Presented) The system of claim 11, wherein said server is further configured to insert the requested video in a designated channel location in a broadcast and send the designated channel location to the client device, and wherein the client device is further configured to use the designated channel location to retrieve the requested video from the broadcast.

13. (Previously Presented) The system of claim 11, wherein the server is further configured to send a broadcast time for the requested video to the client device and insert the requested video in a broadcast at the broadcast time, and wherein the client device is further configured to retrieve the video from the broadcast at the broadcast time.

14. (Previously Presented) The system of claim 11, wherein said server is configured to continuously convey said requested video until an acknowledgement of receipt is received from the client device.

15. (Previously Presented) The system of claim 10, wherein said server is further configured to:

identify an advertisement associated with the search request; and

send the advertisement to the client device.

16. (Previously Presented) A client device for use in a distributed computing system, said client device comprising:

circuitry configured to receive a broadcast signal comprising a plurality of modules, the plurality of modules being received in a broadcast carousel on a single channel, and wherein the plurality of modules in the broadcast carousel correspond to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, said plurality of modules not being broadcast responsive to a request from a client device;

processing circuitry configured to:

receive search criteria from a user;

send said search criteria to a server, subsequent to the broadcast of said modules;

receive from said server a qualifying module number, said number corresponding to the search criteria; and

retrieve a first module of said modules from the single channel, in response to matching the received qualifying module number to said first module.

17. (Previously Presented) The client device of claim 16, wherein said processing circuitry is further configured to:

generate a video request based upon information corresponding to the first module;

send said video request to a server; and

receive a video corresponding to said video request from the server, in response to said request.

18. (Previously Presented) A broadcast station for use in a distributed computing system, said broadcast station comprising:

a database; and

a server coupled to said database, wherein said server is configured to:

broadcast in a broadcast carousel on a single channel a plurality of modules to a plurality of client devices, said plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique_module number, wherein said plurality of modules are not broadcast responsive to a client request;

receive search criteria from one of said client devices;

identify a qualifying module number corresponding to the search criteria, and send the qualifying module number to the client device;

receive a video request from said client device, said request being based upon information corresponding to the qualifying module;

retrieve a video corresponding to said video request from said database, in response to said request; and

convey said retrieved video to said client.

19. (Original) The broadcast station of claim 18, wherein said server is further configured to:

identify an advertisement associated with the received search criteria;

retrieve the advertisement from the database; and

sending the advertisement to the client device.

20. (Previously Presented) A computer readable medium containing program instructions, wherein said program instructions are executable to:

broadcast in a broadcast carousel on a single channel a plurality of modules from a server to a plurality of client devices, said plurality of modules in the broadcast carousel corresponding to a plurality of programs, each of said plurality of modules in the broadcast carousel having a unique module number, wherein said plurality of modules are not broadcast responsive to a client request;

send search criteria from a client device of the client devices to the server, subsequent to said broadcasting;

receive the search criteria at the server and identify a qualifying module number corresponding to the search criteria;

send the qualifying module number to the client device;

receive the qualifying module number at the client device; and

retrieve a first module of said modules from the single channel at the client device, in response to matching the received qualifying module number to said first module.

21. (Original) The medium of claim 20, wherein said program instructions are further executable to display information corresponding to the first module on a display associated with said client device.

22. (Original) The medium of claim 21, wherein said program instructions are further executable to:

generate a video request based upon said displayed information, said video being associated with said first module;

send said video request to said server; and

send a video corresponding to said video request from the server to the client device.

23. (Original) The medium of claim 22, wherein said program instructions are further executable to identify and send a selected advertisement associated with the search request to the client device.

IX. EVIDENCE APPENDIX

No evidence submitted under 37 CFR §§ 1.130, 1.131 or 1.132 or otherwise entered by the Examiner is relied upon in this appeal.

X. RELATED PROCEEDINGS APPENDIX

There are no related proceedings.